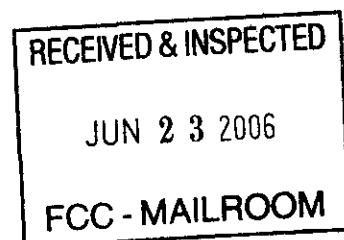


System: 165.135.210.45 sec fax,sec, 4181087 --- Time Printed: 06-23-2006 14:57:01

From: 4068824365
Media: Fax 6 pages
Subject:
Status:
Received: 12:15 PM 06/23/06



Trego Elementary School			Home of the Cougars
Mailing address: PO Box 10 Trego, MT 59934 ph. 406-862-4713	Shipping address: 56 Loon Lake Rd Trego, MT 59984 fax 406-862-4365		
e-mail: tregoschool@interbel.net			

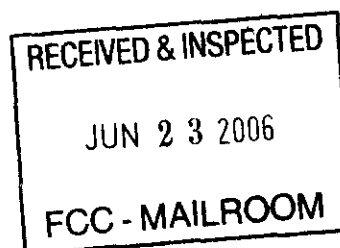
Fax

To: FCC From: Trego Elementary School
Margaret Mee
Fax: 202-418-0187 Pages: 6 including cover page
Phone: _____ Date: 6-23-06
Re: * CC: _____

☐ Purchase Order ☒ For Review ☐ Please Comment ☐ Please Reply

• Comments:

* Re: Request for review of Form 471 in
reference to CC Docket No. 02-6.

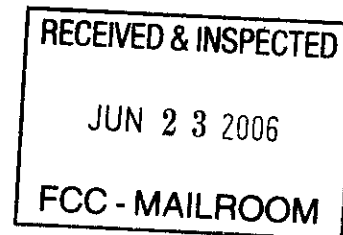


Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

June 23, 2006

RE: Request for review of form 471 in reference to CC Docket No. 02-6

Appellant: Trego Elementary School, BEN: 68106
PO Box 10
Trego, MT 59934
Contact: Margaret Mee, District Clerk
Contact Phone: 406-882-4713
Fax: 406-882-4365
Contact email: tregoschool@interbel.net
Service Provider: InterBel Telephone Cooperative, SPIN: 143028555
Form 471 application number: 445832
FRN's: 1228611 and 1228615



The above Funding Commitment Decision has three items applied for by Trego Schools, only one FRN 1228611 (Internet Services) was funded, the other 2 FRN's (both Telecommunications Services) were denied. The reason stated was "This FRN is a request for Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis."

Our service provider InterBel Telephone Cooperative, Inc. has two SPIN numbers, 143002533 which at the time of our appeal to USAC was listed as an eligible telecom provider and the other which was not approved as an eligible telecom provider due to a mistake on their form 499A. We used the SPIN number on our 471 which is what NECA advised our provider to do. InterBel Telephone Cooperative, Inc. was unable to correct the 499A before the appeal Trego Schools filed was denied.

As of the date of this appeal the SPIN 143028555 is listed as an "Eligible Telecom Provider" by USAC and meets all requirements in order to allow Trego Schools to receive funding for year July 2005 - June 2006.

We would like you to approve these FRN's since InterBel now meets the criteria of an "Eligible Telecom Provider".

Yours Truly,

A handwritten signature in cursive script, appearing to read "Margaret Mee".

Margaret Mee
District Clerk
Trego Elementary School

Attachments included: USAC denied form 471
USAC denied appeal of form 471

No. of Copies rec'd _____
List ABCDE _____



Universal Service Administrative Company
Schools & Libraries Division

**Administrator's Acknowledgement Letter
FCC Filing Advice**

June 21, 2006

Margaret Mee
Trego Elementary School
P.O. Box: 10
Trego, MT 59934

Margaret Mee:

RECEIVED & INSPECTED

JUN 23 2006

FCC - MAILROOM

Confirming our telephone conversation this morning, the Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence on May 26, 2006, appealing the Administrator's Decision on Appeal letters of May 10, 2006, for Form 471 Application(s) 445832 - FRN(s) 1228611, 1228615.

Decision on Appeal: **Denied**

For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC.

- You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC.
- Your appeal must be received or postmarked within 60 days of the date on the Administrator's Decision on Appeal letter. Failure to meet this requirement will result in automatic dismissal of your appeal.

If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" of the SLD web site at <http://www.universalservice.org/s/about/appeals/default.aspx>, or by contacting the Client Service Bureau.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

889-3787



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

May 10, 2006

Margaret Mee
Trego Elementary School
P.O. Box 10
Trego, MT 59934-0010

Re: Applicant Name: TREGO ELEMENTARY SCHOOL
Billed Entity Number: 68106
Form 471 Application Number: 445832
Funding Request Number(s): 1228611, 1228615
Your Correspondence Received: March 17, 2006

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2005 Funding Commitment Decision Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1228611, 1228615
Decision on Appeal: **Denied**
Explanation:

- On appeal, you seek reversal of the SLD decision to deny the funding request because the FRN is a request for Telecommunications Service from a carrier that does not provide telecommunications on a common carriage basis. In support of your request, you state that InterBel Telephone Cooperative has two SPIN numbers, 143002533 and 143028555. You assert that SPIN 143002533 shows that the service provider does provide telecommunications on a common carriage basis. You state that SPIN 143028555 is showing as ineligible because the service provider had made a mistake on their Form 499A. You conclude that the service provider is working on correcting the problem so SPIN 143028555 will show that it is an eligible telecommunications carrier by the time the appeal is reviewed.

- Upon thorough review of the appeal letter and the relevant documentation, the SLD has determined that the FRN was properly denied for requesting telecommunications services from a carrier that does not provide telecommunications on a common carriage basis. On the Form 471, the FRN was categorized under the telecommunications service category. An examination of the Item 21 Attachment confirms that the services requested are telecommunications services. Per Program Rules, the service provider providing the telecommunications services must meet the FCC eligible telecom carrier designation requirements to be designated as eligible telecom carrier in the USAC database. The service provider InterBel Telephone Cooperative, Inc. SPIN 143028555 listed for this FRN was deemed an ineligible telecommunication provider in the USAC database. It is the responsibility of the applicant to ensure that all requested telecommunications services are provided by an Eligible Telecommunications Provider (ETP). On appeal, you have failed to demonstrate that the SLD erred in its original decision.
- An Eligible Telecommunications Provider (ETP), a USAC term used for "telecommunications carrier," is an entity that provides telecommunications services, i.e., transmission services on a common carriage" basis. To be a telecommunications carrier, the carrier must (1) allow the customer to transmit information of its own design and choosing, without change in the form or content of the information, and (2) provide that capability for a fee directly to the public, or to such classes of users as to be effectively available to the public (i.e., hold itself out to serve indifferently all potential users).

USAC makes commitments for Telecommunications Services for applicants when the service provider is identified in USAC's database as an ETP; but, notwithstanding that identification, it is the service provider that is responsible for ensuring it meets these requirements in all instances of discounted telecommunications services. All telecommunications carriers are required under FCC rules to file an FCC Form 499A. By filing a Form 499A and checking at least one of the boxes on line 227, USAC may designate a service provider as an eligible telecommunication provider in its database. Since your appeal has not brought forth persuasive information that SLD has erred in its determination, your appeal is denied.

- Your Form 471 indicates that you selected a service provider that has not been designated as an eligible telecommunication carrier in the USAC database: InterBel Telephone Cooperative, Inc - SPIN number 143028555. FCC regulations provide that telecommunications carriers are eligible for universal service support. 47 C.F.R. § 54.501(a). The FCC has determined that to be eligible to receive universal service support for telecommunications services, the provider must provide telecommunications services on a common carrier basis. Federal-State Joint Board on Universal Service, CC Docket No. 96-45, *Report and Order*, FCC 97-157 ¶ 134 (rel. May 8, 1997)

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied

in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company